UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

COLBY GOROG, JOSHUA FLINT, LOUIS ROBINSON, and MICHAEL LERRO, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

ELON MUSK, TESLA, INC., and DOGECOIN FOUNDATION, INC.

Defendants.

Civil Action No.: 1:22-cv-05037-AKH

PLAINTIFFS NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE AGAINST DEFENDANT DOGECOIN FOUNDATION, INC.

PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs in the above-captioned action, by and through their undersigned counsel, hereby give notice that the above-captioned action is dismissed without prejudice as to Defendant Dogecoin Foundation, Inc. only, with each party bearing their own costs, expenses, and attorneys' fees.

Respectfully Submitted,

s/Evan Spencer

Dated: May 31, 2023

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Attorney for Plaintiffs and the Class

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 31st day of May 2023, a true and correct copy of the above and foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system giving notice to all parties in this action.

<u>s/Evan Spencer</u>
Evan Spencer